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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/534,483

05/10/2005

Erwin Marcel Anna Matthys

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

SENGI, BEHROOZ M

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

06/18/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/534,483	Applicant(s) MATTHYS, ERWIN MARCEL ANNA	
	Examiner BEHROOZ SENFI	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/10/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 and 3-4 are rejected under 35 U.S.C. 102(b) as being anticipated by D'Hoogh et al. (US 5,903,656).

Regarding claim 1, D'Hoogh discloses, device comprising at least one loudspeaker and at least one coil (i.e., fig. 2, coil 7a1, col. 2, lines 1-2), wherein a central axis of the loudspeaker and substantially straight sections of windings of the coil which are closest to the loudspeaker extend substantially in a same plane, and wherein, in this plane, the central axis of the loudspeaker extends substantially parallel to the sections of the 5 windings of the coil which are closest to the loudspeaker (i.e., figs. 2-4, cols. 1-2, lines 65-35).

Regarding claim 2, Device according to claim 1, wherein a distance between the coil and the loudspeaker is at least 10 cm.

Regarding claim 3, D'Hoogh discloses, device according to claim 1, wherein the coil is a vertical deflection coil which is part of a display device comprising a cathode ray tube having at a front side a display window for displaying an image, and at a back side an electrode system for generating electron beams, wherein the vertical deflection coil serves for deflecting the electron beams on their way to an inner surface of the display window in a vertical direction figs. 1-4).

Regarding claim 4, D'Hoogh discloses, device according to claim 3, wherein a front side of the loudspeaker is at least partly directed towards the front side of the display device (i.e., fig. 1).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over D'Hoogh et al. (US 5,903,656) in view of Croft, III (US 2007/0003076).

Regarding claim 5, D'Hoogh is silent in regards to explicit of, frequency range of about 25 to 300 HZ.

Croft (i.e., paragraph 0068) teaches woofer systems with a standard low pass characteristic of 12 or 18 dB per octave, the actual criteria for a subwoofer to not disturb directionality is for it to be down by at least 15 to 20 dB at 300 HZ.

In view of the above, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teaching of D'Hoogh and Croft, as a whole, in order to prevent high frequency interference with the desired sound field, as suggested by Croft (i.e., paragraph 0068).

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over D'Hoogh et al. (US 5,903,656).

Regarding claim 2, D'Hoogh is silent in regards to explicit of, distance of 10 cm, as specifies in the claim.

However, figs. 2-4 of D'Hoogh, shows there is a distance between the coil 7a1 and the loudspeaker. In view of the above, applicant should note that, the variation of the distance does not carry any patentable weight, and consider obvious over the teaching of the prior art of the record.

Contact

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Behrooz Senfi whose telephone number is 571-272-7339. The examiner can normally be reached on M-F 7:00-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Behrooz Senfi/
Primary Examiner
Art Unit 2621